

BEFORE THE  
POSTAL RATE COMMISSION  
WASHINGTON, DC 20268-0001

RECEIVED  
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POSTAL RATE COMMISSION  
OFFICE OF THE SECRETARY

Complaint on Sunday  
and Holiday Collections

Docket No. C2001-1

DOUGLAS F. CARLSON  
COMPLAINT ON SUNDAY AND HOLIDAY COLLECTIONS

October 23, 2000

NAME AND ADDRESS OF COMPLAINANT

1. Complainant is Douglas F. Carlson, PO Box 7868, Santa Cruz CA 95061-7868.

STATEMENT OF GROUNDS FOR COMPLAINT

2. The Postal Reorganization Act specifically empowers the Postal Service to "provide for the collection \* \* \* of mail[.]" 39 U.S.C. § 404(1).

3. The Postal Reorganization Act requires the Postal Service to maintain an "efficient system of collection, sorting, and delivery of the mail nationwide[.]" 39 U.S.C. § 403(b).

4. The Postal Reorganization Act further empowers the Postal Service to "adopt, amend, and repeal such rules and regulations as it deems necessary to accomplish the objectives of this title[.]" 39 U.S.C. § 401(2).

5. The *Postal Operations Manual* "sets forth the policies, regulations, and procedures of the Postal Service governing retail, philatelic, collection, mail processing, transportation, delivery, and vehicle operations." See POM 8, July 16, 1998, preface page.

6. The Postal Reorganization Act requires the Postal Service to develop and promote “adequate and efficient postal services.” 39 U.S.C. § 3661(a).

7. The Postal Reorganization Act requires the Postal Service to submit a proposal to the Commission requesting an advisory opinion on any change in the nature of postal services that will generally affect service on a nationwide or substantially nationwide basis. 39 U.S.C. § 3661(b). The Postal Service must request this advisory opinion *before* the effective date of such a proposal. *Id.*

8. Persons not receiving postal services in accordance with the policies of the Postal Reorganization Act may lodge a complaint with the Commission. See 39 U.S.C. § 3662.

### **Sunday Collections**

9. The *Postal Operations Manual* requires Sunday collections, *inter alia*, from all collection boxes located at main post offices, stations, and branches and from collection boxes that receive a daily average of 100 pieces of mail or more on weekdays. POM §§ 322.233 and 322.343.

10. On February 14, 1988, the Postal Service eliminated Sunday collections and processing of outgoing First-Class Mail nationwide. See Exhibit 1, pages 2–6.

11. Before eliminating Sunday collections and processing of outgoing First-Class Mail, the Postal Service failed to seek an advisory opinion from the Commission on whether customers would receive adequate postal services, within the meaning of 39 U.S.C. § 3661(a), if they did not have access to outgoing First-Class Mail service on Sundays. See Exhibit 1, page 1.

12. Moreover, the Postal Service presently is not providing the level of Sunday collection and outgoing First-Class Mail service that the POM prescribes.

## **Holiday Collections**

13. The *Postal Operations Manual* requires holiday collections, *inter alia*, from all collection boxes located at main post offices, stations, and branches and from collection boxes that receive a daily average of 100 pieces of mail or more on weekdays. POM §§ 322.233 and 322.343. POM § 125.22 lists postal holidays. POM Exhibit 125.22 prescribes holiday service levels.

14. Prior to 1988, most Postal Service processing and distribution centers (P&DC's) processed outgoing First-Class Mail on all holidays except possibly Christmas Day and New Year's Day.

15. Since 1988, the Postal Service has gradually phased out processing of outgoing First-Class Mail on the widely observed holidays of Memorial Day, Independence Day, Labor Day, and Thanksgiving Day. Processing of outgoing First-Class Mail on Christmas Day and New Year's Day is rare, and it may not exist anywhere.

16. For example, in 1999, most, if not all, P&DC's in Florida did not process outgoing First-Class Mail on Memorial Day.

17. The phase-out of holiday processing has been particularly recent in some areas. For example, the P&DC in Oakland, California, processed outgoing First-Class Mail on Memorial Day in 1999. However, in 2000, the Oakland P&DC did not process outgoing First-Class Mail on Memorial Day. The Oakland P&DC processed outgoing First-Class Mail on Labor Day during many years in the 1990's, but the Oakland P&DC did not process outgoing First-Class Mail on Labor Day in 1999 or 2000.

18. In most parts of the country, customers have lost collection and processing of outgoing First-Class Mail on widely observed holidays. When the holiday falls on Monday, two consecutive days pass — Sunday and Monday — on which customers do not have access to outgoing First-Class Mail service.

19. In SCF Kalispell, Montana, customers did not receive outgoing First-Class Mail processing on Columbus Day, a non-widely-observed holiday, in 1999 and 2000. Correspondence concerning Columbus Day in 1999 appears in Exhibit 2.

20. On a nationwide or substantially nationwide basis, the Postal Service has eliminated processing of outgoing First-Class Mail on several holidays without first requesting an advisory opinion from the Commission on whether customers would receive adequate postal services, within the meaning of 39 U.S.C. § 3661(a), if they did not have access to outgoing First-Class Mail service on holidays or for two consecutive days.

21. Moreover, the Postal Service is not providing customers the level of holiday collection and outgoing First-Class Mail service that the POM prescribes.

#### **Christmas Eve and New Year's Eve Collections**

22. On the day prior to a holiday, the Postal Service must provide normal collection service. POM Exhibit 125.22.

23. If the holiday falls on a Saturday, the Postal Service must provide normal collection service on Friday. *Id.*

24. On Christmas Eve in 1999 — Friday, December 24, 1999 — post offices in several districts in at least two Postal Service areas, the New York Metro Area and the Northeast Area, conducted final collections on Christmas Eve prior to the final Friday collection time posted on collection boxes.

25. Post offices conducting early collections on Christmas Eve did not post a notice on each collection box warning customers that the posted Friday collection time did not apply. Therefore, mail deposited after the posted Friday collection time was not collected until Monday. Moreover, even customers who somehow learned about the early collections still were deprived of the proper level of collection service. If a collection box indicates a Friday collection at 5:00 PM, a

customer should expect a collection on Friday at 5:00 PM unless that Friday is a holiday listed in POM § 125.22.

26. The Southeast New England District posted a notice on its Web site announcing that “The last pickup of collection mailboxes in these ZIP Codes [020, 023, 025, 026, 027, 028, 029] will be completed by 12:00pm on Friday, December 24.” See Exhibit 3. The words “completed by 12:00pm” meant that collection boxes could be collected at *any time* between midnight on the morning of December 24, 1999, and noon. Therefore, customers using any collection box after midnight on the morning of December 24, 1999, had no guarantee that their mail would be collected on Friday.

27. The notice from the Southeast New England District also reveals early collections on New Year’s Eve, Friday, December 31, 1999, in downtown Providence, Rhode Island. See Exhibit 3.

28. POM Exhibit 125.22 requires normal collections on the day before a holiday unless the chief operating officer and executive vice president has approved an exception.

29. In 1999, the chief operating officer and executive vice president did not approve any exceptions to the service levels prescribed in POM Exhibit 125.22.

30. My attempts to obtain information concerning approved exceptions or to resolve this problem for future years were unsuccessful. See Exhibit 4, pages 1–6.

31. Section G011.1.5 of the *Domestic Mail Manual* permits district managers to approve exceptions to normal service levels prior to a holiday. However, as explained in ¶ 5, *supra*, the POM provides the controlling policies, regulations, and procedures governing collections.

32. Early collections on Christmas Eve in some cities have occurred in years prior to 1999 as well.

33. On a nationwide or substantially nationwide basis, the Postal Service does not provide normal collection service on Christmas Eve and, possibly, New Year's Eve, despite a clear mandate in the POM to provide normal collection service on the day before a holiday.

34. The Postal Service has eliminated normal mail collections on Christmas Eve and, possibly, New Year's Eve without first requesting an advisory opinion from the Commission on whether customers would receive adequate postal services, within the meaning of 39 U.S.C. § 3661(a), if collections were curtailed on Christmas Eve or New Year's Eve and if collections were performed earlier than the time posted on collection boxes.

#### **CLASS OF PERSONS AFFECTED**

35. The Postal Service's failure to provide Sunday and holiday collection service in accordance with POM requirements affects nearly all postal customers nationwide.

36. Regardless of the level of publicity, if any, about curtailed collections, the Postal Service's failure to provide the proper level of collection service on Christmas Eve and, possibly, New Year's Eve affects millions of customers in at least two, and possibly more, Postal Service areas. This failure also affects any customer who may be visiting, travelling through, or otherwise present in an affected area.

#### **STATEMENT OF RELIEF REQUESTED**

37. Pursuant to 39 U.S.C. § 3662, I request that the Commission issue a public report documenting the Postal Service's failure to provide the POM-mandated level of collection service and outgoing mail processing on Sundays, holidays, Christmas Eve, and New Year's Eve.

38. The Commission should further consider conducting a hearing to discover:

a. The extent nationwide to which the Postal Service fails to provide the proper level of collection service on Christmas Eve and New Year's Eve;

b. The extent to which customers do not have access to collections and processing of outgoing First-Class Mail on both widely observed holidays and non-widely-observed holidays;

c. Whether the Postal Service provides adequate postal services, within the meaning of 39 U.S.C. § 3661(a), when customers do not have access to outgoing First-Class Mail service on Sundays or holidays or for any two consecutive days.

Respectfully submitted,



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DOUGLAS F. CARLSON

Dated: October 23, 2000

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon the Postal Service in accordance with section 12 of the *Rules of Practice*.



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DOUGLAS F. CARLSON

October 23, 2000  
Emeryville, California

# **EXHIBIT 1**

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORIES OF DOUGLAS F. CARLSON**

**DFC/USPS-2. Please provide the docket or proceeding number at the Postal Rate Commission associated with the Postal Service's request, under 39 U.S.C. § 3661(b), for an advisory opinion on the elimination of Sunday collections and outgoing mail processing at most post offices on Sunday.**

**RESPONSE:**

No such proceeding was initiated. These actions occurred when the Postal Service was "on budget" for federal budget purposes, in the context of a legislative directive to reduce operating expenses as part of a broader-based federal budget deficit reduction program (Omnibus Budget Reconciliation Act of 1987, Public Law 100-203).

**RESPONSE OF THE UNITED STATES POSTAL SERVICE  
TO INTERROGATORIES OF DOUGLAS F. CARLSON**

**DFC/USPS-3.** Please provide an explanation of the Postal Service's current policy on Sunday collections and outgoing mail processing of First-Class Mail. Please include documents and directives.

**Response.**

The Postal Service policy is not to conduct Sunday collections or outgoing processing of First-Class Mail except during the holiday season or as a contingency for unusual circumstances. A copy of the 1988 memorandum establishing this policy is attached.

Attachment  
Response to DFC/USPS-3  
Page 1 of 4

**THE DEPUTY POSTMASTER GENERAL**

Washington, DC 20260-0050

January 22, 1988

**MEMORANDUM FOR REGIONAL POSTMASTERS GENERAL**

**SUBJECT: Reduction of Window Operations and Elimination of Sunday Collections and Outgoing Processing.**

As indicated in my memorandum of January 15, a group of Headquarters and Regional Representatives has been developing implementing instructions for a reduction of window operations and the elimination of Sunday collections and outgoing processing. These efforts have recently been completed and the resultant guidelines are attached.

As a practical matter, these instructions could not address every possible operating scenario that will be faced by our Field Managers. They do, however, spell out the intent of these strategies and address the key factors which have to be considered during implementation. Perhaps the most significant of these considerations are those pertaining to the Labor Relations issues associated with these initiatives. While we all recognize the impacts these changes will have on our employees, it is imperative that those impacts be minimized to the extent possible and that all applicable provisions of the National Agreements be strictly adhered to. Similarly, impacts on our customers can be lessened through a common sense approach to implementation. This is particularly true in the window services area where the implementing guidelines offer various alternatives which, if carefully chosen based upon local conditions, can minimize customer dissatisfaction.

In order to ensure capture of the savings associated with these two strategies, it is imperative that implementation occur without delay. Accordingly, it is expected that window service adjustments will be effective February 13, 1988 and elimination of Sunday collections and outgoing processing will be effective February 14, 1988. Each Region must ensure that all Field Managers are fully aware of the intent of these initiatives and that implementation is uniformly applied within the guidelines presented in the attached instructions. Any deviations or exclusions from these strategies must have the approval of the Regional Postmaster General.

Internal and external communications must be controlled to ensure correct and consistent information. The Marketing and Communications Department has disseminated a publicity plan to address these needs, as well as language for use in press releases and customer responses. Additional material will be forwarded as it is developed.

When allocations for these workhour reductions are finalized, you will be advised through the Department of the Controller. As noted in my January 15 memorandum, that Department and the Regional Directors of Finance have the responsibility for coordinating the tracking and monitoring of these programs.

In order to expedite receipt of these instructions by the field, I am, by copy of this memorandum, providing them to the Division General Managers/Postmasters.

Michael S. Coughlin

Attachment

cc: CPC Members  
Div. GMs/PMs

**SUNDAY COLLECTION**  
and  
**OUTGOING MAIL PROCESSING**  
**GUIDELINES**

In a further effort to reduce Postal Service costs as required by recent Congressional budget actions, Sunday collections and outgoing distribution operations are to be eliminated. These reductions must result in fully recoverable and identifiable cost savings. In implementing this program, the following guidelines must be observed:

- Sunday originating mail preparation and distribution operations are to be discontinued.
- Sunday collections are to be discontinued. (See second paragraph, next page.)
- Opening units (operations 110-129) and platform operations (210-239) should be minimally staffed to control inbound and transit volumes and to process Express Mail and Special Delivery.
- Transit operations will be maintained.
- Area Distribution Centers (ADCs) and State Distribution Centers (SDCs) will appropriately staff MMP and State Distribution Operations to ensure distribution and dispatch of those transit volumes.
- Express Mail and Special Delivery operations (processing and delivery) must continue without impact.
- Bulk Mail Centers (BMCs) and Auxiliary Service Facilities (ASFs) will continue to operate at present levels.
- AMF normal transfer functions will be maintained but distribution activities (if any) will be scaled back to incoming and transit volumes only.
- Drop shipments (newspapers) should be planned for and processed on the day of receipt.
- Transit parcel post and second-class mailings must continue to move normally.
- All transportation schedules should be reviewed for possible elimination or reduction.

- Operating plans should be reviewed and changes made as appropriate to accommodate this operating scenario and to ensure that Monday operations are appropriately staffed.
- Collection box decals must be altered to reflect revised collection operations. (Heavy volume collection boxes can be swept to eliminate overflow but volumes collected should not be cancelled on Sunday.)
- In implementing these guidelines, consideration must be given to minimizing the impact on our customers.
- Detached Mail Units (DMUs) and Bulk Mail Acceptance Units (BMAUs) operations shall continue without change.
- Callers who normally pick up mail on Sunday need to be accommodated.
- Locations that are now involved in the acceptance, distribution and delivery of Social Security, Retirement, and/or other types of Federal and State entitlement program checks must ensure that staff is available to process those volumes in order to meet the programmed delivery day.
- Implementation of these guidelines is effective February 14, 1988.

Questions regarding these instructions should be directed to the Office of your Regional Director, Operations Support.

# **EXHIBIT 2**

PO Box 12574  
Berkeley CA 94712-3574  
October 18, 1999

Postmaster  
United States Postal Service  
350 N Meridian Rd  
Kalispell MT 59901-9998

Dear Sir or Madam:

On the morning of Columbus Day, Monday, October 11, 1999, I deposited mail at the Kalispell post office, expecting this mail to be processed and dispatched on Columbus Day. Instead, my mail was not postmarked until October 12.

In my experience, outgoing mail processing is standard nationwide on non-widely-observed holidays such as Columbus Day. I am interested to know why the Kalispell post office did not process outgoing mail on Columbus Day or at least make arrangements to transport the mail to a larger facility, such as Missoula, to provide customers with this important holiday collection service. Will outgoing mail be processed on Veterans' Day next month? Also, does the Kalispell post office still send its outgoing mail to Missoula on Saturdays?

I encountered a related problem in September. I rushed to the Kalispell post office for the 6:00 PM final weekday collection. As it turned out, I did not arrive until 6:20 PM. I deposited my mail anyway, and my test mail was postmarked on the day of deposit. Indeed, I noticed that one of the drive-up collection boxes was full at 6:20 PM, and when I drove by again at 7:00 PM, the box was still full. However, by 9:00 PM, it had been collected. If a collection is made after 6:00 PM, why are the collection boxes posted with a 6:00 PM collection time? Postal Service policy requires collection times to be posted as late in the day as possible. A 6:00 PM final collection at the Kalispell post office does not seem to be as late in the day as possible given that processing operations surely extend well into the evening, nor does the 6:00 PM collection time seem to reflect actual collection practices. Customers would benefit from a later posted collection time on weekdays.

I look forward to receiving your response to my concerns.

Thank you.

Sincerely,

Douglas F. Carlson

PO Box 12574  
Berkeley CA 94712-3574  
February 4, 2000

Postmaster  
United States Postal Service  
350 N Meridian Rd  
Kalispell MT 59901-9998

Dear Sir or Madam:

On October 18, 1999, I mailed you a letter concerning two problems that I encountered at the Kalispell post office. The first problem involved the final collection time at the main post office. The second problem was the absence of holiday mail processing on Columbus Day.

A considerable amount of time has elapsed since I mailed my letter, and yet I have not received a response. I would appreciate receiving a response within the next two weeks. If I do not receive a response by **February 22, 2000**, I will contact the district manager for assistance.

Thank you for your attention to my concerns.

Sincerely,

Douglas F. Carlson



UNITED STATES

POSTAL SERVICE

350 N MERIDIAN RD

KALISPELL, MT 59901-9998

February 7, 2000

Mr. Douglas F. Carlson  
P. O. Box 12574  
Berkeley, CA 94712-3574

Dear Mr. Carlson:

I am writing in response to your letter of February 4, 2000, regarding the lack of reply to a letter you mailed us on October 18, 1999. Would you please send us a copy of the letter from October as we were not in receipt of it, and we would like to respond to your concerns. We have enclosed a self-addressed, stamped envelope for your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Dan Kolesar".

Dan Kolesar  
Postmaster

DK:maa

Enclosure

 **UNITED STATES  
POSTAL SERVICE**  
350 N MERIDIAN RD  
KALISPELL, MT 59901-9998

February 22, 2000

Mr. Douglas F. Carlson  
P. O. Box 12574  
Berkeley, CA 94712-3574

Dear Mr. Carlson:

I am very sorry for the delay in answering your letter. I hope that I can explain what occurred on the dates you have mentioned.

On Monday, October 11, 1999, we collected and cancelled outgoing mail with the October 12, 1999, date because we did not have transportation out of Kalispell on that holiday. The day after a holiday has a very high volume of outgoing mail and we usually cannot process all of it within our time frames. So we canceled, sorted, and left the mail in the cases with the date of October 12, 1999, when we would dispatch the mail. Due to the size of the Kalispell operation and the availability of transportation to and from Kalispell, we do not necessarily cancel mail on holidays. We usually receive about 25% to 30% of our normal volume. On Veterans Day in November, we did in fact collect, cancel, sort, and dispatch mail. We had adequate transportation for this holiday.

Kalispell is not budgeted to process mail on Saturdays. We do not have the volume or transportation to get it out of Kalispell; therefore, we area mail process. We collect and dispatch to Missoula at 6 p.m. on Saturdays. We always have and there are no plans to change this. Our collections are posted at 6 p.m. and we usually pick up these collections one to two times prior to 6 p.m. for the purpose of starting our mail processing operations. Our next scheduled pickup is 6:15 p.m. to include any mail that might come in a few minutes late. I have the Supervisors maintain a collection can pick-up log. This log states that on two dates in September 1999, the drops were actually picked up at 7:25 and 7:10 p.m. The Kalispell Post Office has a very short window of operation in which to collect, cancel, and sort mail for a dispatch of 10 p.m. We are getting a new mail processing machine on March 27, 2000, which will enable us to sort mail (letters) much more quickly and accurately. Until we can get more transportation into Kalispell, we will have to work in the small window of time. The Western Area operating plan dictates that our outgoing collections are at 6 p.m. This gives us just a small amount of time to process and send out on our limited transportation.

I am sorry for the service that you received and ensure that we will try harder to give you the best possible customer service. Please feel free to call me at 406-755-6450 if you need to discuss this further.

Sincerely,



Ken Dauenhauer  
Supervisor Customer Services  
for Dan Kolesar, Postmaster

KD:maa

# **EXHIBIT 3**

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## *New Holiday Hours for 1999*

*The Holidays Are Here  
and We Are Here To Help!!*

### *Christmas Eve*

 The retail lobbies will be open until 1:00pm on Friday, December 24, in all post offices in the following ZIP Code areas;

020,023,025,026,027,028,029\*

\*NOTE: The Providence Main Office will be open until 6:00pm. The Brockton Main Office and Hyannis office will be open normal retail hours.

 The last pickup of collection mailboxes in these ZIP Codes will be completed by 12:00pm on Friday, December 24.

### *New Years Eve*

 The retail lobby of the Providence Main Post Office located on Corliss Street will be closing at 8pm on December 31, 1999.

 The last pickup of collection mailboxes located in the downtown Providence area will be 12:00pm on Friday, December 31.

Call your local post office for additional information and be sure to check back here for more information as it becomes available.

[What's Hot](#) | [District News](#) | [PCC's](#)  
[Products](#) | [Local PO List](#) | [Site Map](#)

# **EXHIBIT 4**

PO Box 12574  
Berkeley CA 94712-3574  
January 31, 2000

Mr. Clarence E. Lewis, Jr.  
Chief Operating Officer and Executive Vice President  
United States Postal Service  
475 L'Enfant Plz SW Rm 10226  
Washington DC 20260-0080

Dear Mr. Lewis:

In late December 1999, I discovered that several post offices and districts, perhaps mainly in the eastern United States, curtailed retail window-service hours and collection services on Christmas Eve. To a lesser extent, they curtailed services on New Year's Eve as well.

In 1999, Christmas Day and New Year's Day were Saturdays. According to Exhibit 125.22 in the *Postal Operations Manual*, post offices must provide *normal* window services and *normal* collection services on the Friday before a widely observed holiday that falls on a Saturday. Normal service is defined as the service "normally provided on that particular day of the week." Since Christmas Eve and New Year's Eve were on Friday in 1999, normal Friday window service should have been provided and Friday collection schedules should have been observed. According to the POM, "Exceptions to these service levels must be approved by the Chief Operating Officer and Executive Vice President."

I am writing to ask whether you authorized any post offices and districts to curtail window-service hours and collection services on Christmas Eve and New Year's Eve in 1999. If so, I would appreciate if you would advise me of the post offices and districts that you authorized to curtail services. If you did not authorize these service curtailments, to whom should I provide a list of districts in which I discovered service curtailments so that this service problem can be avoided in the future?

I look forward to working with you to resolve this problem.

Thank you for your time.

Sincerely,



Douglas F. Carlson

PO Box 12574  
Berkeley CA 94712-3574  
April 10, 2000

Mr. Clarence E. Lewis, Jr.  
Chief Operating Officer and Executive Vice President  
United States Postal Service  
475 L'Enfant Plz SW Rm 10226  
Washington DC 20260-0080

Dear Mr. Lewis:

I have enclosed a photocopy of a letter that I mailed to you on January 31, 2000, concerning curtailed retail window-service hours and collection services on Christmas Eve and, to a lesser extent, New Year's Eve in 1999. In my letter, I asked whether you authorized any post offices or districts to curtail services.

I trust that you share my concern about the problems that curtailed collections cause, particularly when customers rely on posted collection times that are not, in fact, being honored. Therefore, I would appreciate receiving a response to my original inquiry.

Thank you.

Sincerely,

Douglas F. Carlson

Enclosure

PO Box 12574  
Berkeley CA 94712-3574  
May 19, 2000

The Honorable Ned R. McWherter  
Governor  
United States Postal Service  
Cary Lawn  
PO Box 30  
Dresden TN 38225-0030

Dear Mr. McWherter:

In 1999, many post offices and districts curtailed retail window services and performed early final collections of collection boxes on Christmas Eve. To a lesser extent, post offices curtailed services on New Year's Eve as well. Last year, Christmas Day and New Year's Day were Saturday holidays, so Christmas Eve and New Year's Eve were Fridays.

Exhibit 125.22 in the *Postal Operations Manual* (copy enclosed) clearly requires post offices to provide normal window services and normal collection services on the Friday before a widely observed holiday that falls on a Saturday. Only the chief operating officer and executive vice president may approve exceptions.

I became very concerned when I inadvertently discovered these service curtailments on Christmas Eve. Customers mailing letters at collection boxes had no reason to suspect that the normal posted Friday collection time would not apply, when in reality some final collections were performed at noon or earlier. As a result, mail deposited in collection boxes before the final posted Friday collection time, but after the actual final collection, would not have been collected and processed until Monday, December 27, 1999 — three days later. Various general announcements, such as a notice posted on the Web site of the Southern New England District (copy enclosed), surely were insufficient to warn every postal customer of the curtailed collection services. Even if announcements reached every local postal customer — an unlikely scenario — the Postal Service cannot expect customers travelling into an area to be aware of information that the Postal Service may have disseminated to local residents. Any form of notice short of a sign on every collection box would be insufficient to avert the harm to customers that early collections would cause. Moreover, even with notices posted on boxes, customers arriving at collection boxes before the normal collection time expecting to deposit their mail for a Friday collection would suffer significant inconvenience or hardship.

On January 31, 2000, I mailed a letter (copy enclosed) to Chief Operating Officer and Executive Vice President Clarence E. Lewis, Jr. to determine whether

The Honorable Ned R. McWherter  
May 19, 2000  
Page 2

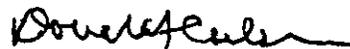
Mr. Lewis authorized post offices and districts to curtail their services on Christmas Eve and New Year's Eve in 1999. If Mr. Lewis did not authorize these exceptions to normal service levels, I asked him for guidance in ensuring that this problem would not recur. Mr. Lewis did not reply to my letter, nor did he respond to my brief follow-up letter dated April 10, 2000.

Mr. Lewis' failure to respond to my correspondence is improper and disturbing. Therefore, I am writing to you to request your assistance in investigating this problem and determining whether Mr. Lewis authorized exceptions to normal service levels in 1999. If he did, I urge you to review the wisdom of curtailing postal services before long holiday weekends given the significant harm that many customers will suffer when the Postal Service fails to provide the level of service that customers reasonably expect on days that are not postal holidays. If Mr. Lewis did not authorize these exceptions, district managers should be instructed not to deviate from required service levels in the future.

I look forward to learning the outcome of your review.

Thank you for your time.

Sincerely,



Douglas F. Carlson

Enclosures

PO Box 12574  
Berkeley CA 94712-3574  
May 23, 2000

The Honorable Ned R. McWherter  
Governor  
United States Postal Service  
Cary Lawn  
PO Box 30  
Dresden TN 38225-0030

Dear Mr. McWherter:

I am writing to follow up on my letter dated May 19, 2000, concerning curtailed retail and collection services in several districts on Christmas Eve and New Year's Eve in 1999.

In my letter, I noted that Exhibit 125.22 in the *Postal Operations Manual* permits only the chief operating officer and executive vice president to approve exceptions to the requirement to provide normal retail and collection services on the Friday before a widely observed holiday that falls on a Saturday.

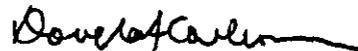
After mailing my letter, I discovered that section G011.1.5 of the *Domestic Mail Manual* permits district managers to approve exceptions. I do not know which manual controls — the DMM or the POM.

Regardless of which postal official has the authority to approve exceptions to normal service levels, my central point remains intact: the Postal Service should not be curtailing services on days that are not postal holidays. As I explained in my previous letter, the Postal Service surely cannot effectively notify all local postal customers that normal Friday collection times on collection boxes will not apply. Moreover, customers travel in and out of service areas. For example, a customer flying from California to Providence, Rhode Island, on Friday, December 24, 1999, might have reasonably relied on the posted 5:00 PM Friday collection time on the collection box at the Providence airport to mail a bill that was due on December 27, having no reason to suspect that the Southern New England District completed its collections by noon on Christmas Eve. Customers suffer serious financial and even legal consequences when their mail is delayed. The risk of harm is too great to justify allowing local postal officials to curtail services prior to major holidays.

I hope this clarification assists you in your review of this problem.

Thank you.

Sincerely,



Douglas F. Carlson

NED R. McWHERTER  
GOVERNOR



June 1, 2000

Mr. Douglas F. Carlson  
P. O. Box 12574  
Berkeley CA 94712-3574

Dear Mr. Carlson:

This will acknowledge your letter dated May 23<sup>rd</sup>, 2000 and thank you for same.

I plan to attend a Board of Governors meeting next week. I will again bring your letter to the attention of the appropriate management.

Sincerely,

A handwritten signature in black ink that reads "Ned McWherter".

Ned R. McWherter  
Governor, State of Tennessee  
1987-1995

NRM:mp

CARY LAWN  
PO Box 30  
DRESDEN TN 38225-0030  
901-364-3446  
FAX: 901-364-3446